

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE

IN RE:

GREGORY RYAN OSBORNE,
1815 Mosley Ferry Road
Chapmansboro, TN 37035
SSN: XXX-XX-9239
Debtor(s).

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)
) Bk. No. **17-00727-RM3-13**
) Chapter 13
) Judge Randal S. Mashburn
)
)

THE DEADLINE FOR FILING A TIMELY RESPONSE IS: September 14, 2017 IF A RESPONSE IS TIMELY FILED, THE HEARING WILL BE: September 27, 2017 at 8:30 a.m. in Courtroom 1, 2 nd Floor Customs House, 701 Broadway, Nashville, Tennessee 37203
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TRUSTEE'S OBJECTION TO DEBTOR'S MOTION TO MODIFY
CHAPTER 13 PLAN

Henry E. Hildebrand, III, Standing Trustee for Chapter 13 matters in the Middle District of Tennessee, respectfully objects to the application filed by the debtor seeking to modify the plan in the above-styled case.

The debtor is seeking to "add" to the debtor's plan a provision for Priority Insurance, paid as an administrative expense, as a continuing monthly premium payment. While Priority Insurance Agency, Inc. filed a claim for insurance premiums in March of 2017, this plan was not adjusted or amended at any time to provide for this administrative claim and, accordingly, the Trustee is treating the claim of Priority Insurance as a general unsecured claim. Apparently, the debtor has decided to modify the plan, five months after the proof of claim was filed, seeking to provide for this claim.

The Trustee would state that the debtor's modified plan would be rendered unfeasible unless the debtor is also capable of increasing payments to the Trustee to \$163.50 per week with a "base" of \$42,000. Without this, the Trustee is incapable of paying both the payments required by the plan and the new administrative claim.

WHEREFORE, THE PREMISES CONSIDERED, the Trustee objects to the debtor's Application to Modify the Plan.

Respectfully submitted,

/s/ Henry E. Hildebrand, III

Henry E. Hildebrand, III
Chapter 13 Trustee
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CERTIFICATE OF SERVICE

I, the undersigned, hereby certifies that on or before the 14th day of September, 2017, a true and correct copy of the foregoing has been served in the following manner:

Email by Electronic Case Noticing to:

U. S. Trustee
James Flexer, Counsel for Debtor

By U. S. Postal Service, postage prepaid to:

Gregory R. Osborne, 1815 Mosley Ferry Road, Chapmansboro, TN 37035
Renee Gill, Priority Insurance Agency Inc., 1355 Lynnfield Road, Suite 160, Memphis, TN 38119
Insolve Auto Funding, c/o Capital Recovery Group, P. O. Box 64090, Tucson, AZ 85728-4090

/s/ Henry E. Hildebrand, III

Henry E. Hildebrand, III
Chapter 13 Trustee